

REMARKS

Applicant has carefully reviewed the office action mailed August 18, 2004. By this Amendment, claims 1 and 12 are amended and claims 9 - 11 are cancelled. Claims 1 - 8 and 12 - 26 are pending in this application. It is noted that Applicant has amended the above-identified claims solely to advance prosecution of the instant application and to obtain allowance on allowable claims at the earliest possible date. Accordingly, no admission may be inferred from the amendments of claims herein. Applicant expressly reserves the right to pursue the originally filed claims in the future.

Claim 1 was rejected under 35 U.S.C. 102(b) as being anticipated by Matthews-Brown, U.S. Patent 6,640,977. Figure 19 of Matthews-Brown illustrates a support pillow 200 having two arms 206, 208. A medial regional 204 of support pillow 200 is surrounded by a base member 300 (column 13, lines 31-32). Base member 300 includes a bottom 302, two walls 304, 306 and a top 308 (column 13, lines 32-34). Walls 304 and 306 taper to permit top 308 to fit between the arms 206,208 of support pillow 200 (column 13, lines 33-35).

Disposed about pillow 200 and base member 300 is a transparent cover 310 (column 13, lines 39-41). The fact that the base member 300 is enclosed in a transparent cover 310 shows that base member 300 is not intended to be grasped in a hand. Additionally, the fact that the edges of walls 304 and 306 are tapered means that grasping one of these walls between the thumb and fingertip of a hand would be awkward if not impossible.

In contrast to Matthews-Brown, Applicant's claim 1 recites a column comprising a first side panel, a second side panel, and a major panel extending therebetween. The first side panel has sufficient surface area to receive a thumb of a hand and the second side panel has sufficient surface area to receive a fingertip of the hand. The first side panel and the second side panel are separated by a distance W that is selected such that the column can be received between the thumb and the fingertip of the hand.

Unlike Applicant's amended claim 1, Matthews-Brown fails to disclose a column comprising a first side panel, a second side panel, and a major panel extending therebetween. Additionally, Matthews-Brown fails to disclose that the first side panel has sufficient surface area to receive a thumb of a hand, the second side panel has a surface area sufficient to receive a fingertip of the hand and the two side panels are separated by a distance W that is selected such that the column can be received between the thumb and the finger tip of the hand. Because these elements are not disclosed by Matthews-Brown, this reference does not anticipate the invention recited in amended claim 1. As shown in figure 12 of Applicant's specification, for example, the arrangement recited in claim 1 allows the column to be conveniently held in a hand.

For the reasons discussed above, Applicant respectfully submits that amended claim 1 is now in condition for allowance. Claims 2 - 8 depend from claim 1 and recite additional limitations. Applicant respectfully submits that these dependent claims are also in condition for allowance.

Claim 12 was rejected under 35 U.S.C. 102(b) as being anticipated by Matthews-Brown, U.S. Patent 6,640,977. Figures 13 and 14 of Matthews-Brown illustrate a device and method for storing and displaying a support pillow 50 (column 10, lines 18-20). In the embodiment shown in figures 13-14, the support pillow 50 is encased in a protective cover 66 such as a piece of clear plastic (column 10, lines 42-44). A central holder 58 surrounds a medial region 52 of support pillow 50 (column 10, line 23). Holder 58 includes a tab 60 having a aperture 62 extending therethrough to enable the support pillow to be hung from a hanger 64 as shown in figure 14 (column 10, lines 28-30).

In figure 14, a gap is shown between an upper portion of the support pillow 50 and an upper portion of the protective covering 66. The fact that there is a gap above the support pillow 50 suggests that the weight of the support pillow 50 is being supported by the portion of the central holder 58 extending underneath the medial region 52 of the support pillow 50. In figures

13 and 14, the protective covering 66 is shown extending between the support pillow 50 and the central holder 58. The fact that a layer of protective material (e.g., clear plastic) is disposed between support pillow 50 and central holder 58 suggests that Matthews-Brown is not concerned with friction between the support pillow 50 and the central holder 58.

In contrast to Matthews-Brown, Applicant's claim 12 recites a display apparatus comprising a column and a strap extending between a top end of the column and a bottom end of the column. A plush item extends through an aperture defined by the strap and the column. Expansion of the plush item creates a friction force at an interface between the plush item and the display apparatus. The magnitude of the friction force is greater than the weight of the plush item.

Unlike the invention recited in amended claim 12, Matthews-Brown fails to disclose a plush item that expands within an aperture defined by a display apparatus so that a friction force greater than the weight of the plush item is created at an interface between the plush item and the display apparatus. Instead, figures 13-14 of Matthews-Brown show a support pillow 50 that is encased in a protective cover 66 and is supported by the portion of a central holder 58 extending underneath the medial region 52 of the support pillow 50. The fact that a layer of protective material (e.g., clear plastic) is disposed between support pillow 50 and central holder 58 suggests that Matthews-Brown is not concerned with friction between the support pillow 50 and the central holder 58. Accordingly, Matthews-Brown does not teach all elements of the invention recited in amended claim 12.

Applicant's claimed arrangement allows the plush item to be removed from the display apparatus by simply urging the plush item to assume a compressed shape. When the plush item is free to expand within the aperture defined by the display apparatus, friction between the plush item and the display apparatus reduces that likelihood that the two will inadvertently become separated. This relationship is illustrated, for example, in figure 4 of Applicant's specification.

In figure 4, a plush item 324 is shown extending through an aperture 346 defined by a strap 308 and a column 302. A weight force 366 created by the weight of the plush item 324 is illustrated with an arrow 366 in figure 4. In the embodiment of figure 4, aperture 346 of display apparatus 300 is dimensioned such that the friction force between display apparatus 300 and pillow 326 is capable of supporting the weight of pillow 326. Accordingly, the friction between display apparatus 300 and pillow 326 is sufficient to prevent pillow 326 from falling due to the effect of gravity in the embodiment of figure 4. In accordance with M.P.E.P. 707.07(f), Applicant urges that the above-described advantage warrants the issuance of a patent on the novel subject matter claimed by Applicant.

For the reasons discussed above, Applicant respectfully submits that amended claim 12 is now in condition for allowance. Claims 13-25 depend from claim 12 and recite additional limitations. Applicant respectfully submits that these dependent claims are also in condition for allowance.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested. The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



Allen W. Groenke
Registration No. 42,608

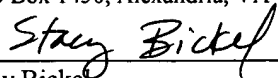
Customer No. 22859
Fredrikson & Byron, P.A.
200 South Sixth Street, Suite 4000
Minneapolis, MN 55402-1425 USA
Telephone: (612) 492-7000
Facsimile: (612) 492-7077

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